

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LOREN R. STAINS,

Plaintiff,

v.

BENJAMIN FRANTZ, et al.,

Defendants.

No. 1:18-CV-02226

(Chief Judge Brann)

(Magistrate Judge Arbuckle)

ORDER

SEPTEMBER 3, 2021

Loren R. Stains filed a 42 U.S.C. § 1983 civil rights complaint, which he later amended, alleging that numerous individuals violated his constitutional rights by allegedly using excessive force during Stains' arrest following a high-speed vehicle pursuit.¹ On August 16, 2021, Magistrate Judge William I. Arbuckle issued a Report and Recommendation recommending that this Court grant Defendants Dylan Gelvin, Benjamin Frantz, Eric S. McCleaf, Lucas Hull, Charles Christopher, and Nathan Conway's (collectively "Pennsylvania State Police Defendants") motion for summary judgment.² No timely objections have been filed to this Report and Recommendation.

¹ Doc. 9.

² Doc. 80.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.³ Regardless of whether objections are made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge.⁴ Upon review of the record, the Court finds no clear error in Magistrate Judge Arbuckle's Report and Recommendation. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge William I. Arbuckle's Report and Recommendation (Doc. 80) is **ADOPTED**;
2. Pennsylvania State Police Defendants' motion for summary judgment (Doc. 74) is **GRANTED**; and
3. Pennsylvania State Police Defendants are hereby **DISMISSED** from this action.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
Chief United States District Judge

³ Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that courts should in some manner review recommendations regardless of whether objections were filed).

⁴ 28 U.S.C. § 636(b)(1); Local Rule 72.31.